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Entered on Docket
February 08, 2010

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Hon. Linda B. Riegle
United States Bankruptcy Judge

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,

USA Capital Realty Advisors, LLC,¹

USA Capital Diversified Trust Deed Fund,
LLC,

USA Capital First Trust Deed Fund, LLC,²

USA Securities, LLC,³

Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**Order Approving Stipulation to
Reinstate Proof of Claim Filed by
Melvin W. Kerner, Trustee of the
Kerner Revocable Trust as it Relates
to Placer Vineyards Investment**

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007

FROM :

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1. The parties hereby stipulate and agree the Kerner claim no. 10725-02288 will be reinstated as an unsecured non-priority claim in the amount of \$50,000.00 based upon an investment in the Placer Vineyards loan, subject to further objection at a later date
2. This order does not alter or amend the prior order of this Court [DE 6875] disallowing the portion of the claim related to Roam Development and allowing a \$631.36 unsecured claim for unremitted principal .

RESPECTFULLY SUBMITTED:.


LEWIS AND ROCA LLP

By s/John Hinderaker
Rob Charles NV (#6593)
John Hinderaker (AZ 18024
pro hac vice)
Attorneys for USACM Liquidating
Trust

DATED: February 3, 2010

APPROVED AS TO FORM AND CONTENT:

MELVIN W. KERNER
TRUSTEE OF THE KERNER REVOCABLE TRUST 3/16/81


By s/ Melvin W. Kerner,
2048 Mesquite Ct.,
Carlsbad, CA 92009-6883
DATED: February 3, 2010.

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